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MINNESOTA BULLETIN NO. 360-5-23

SUBJECT: PER-NEW REGULATION FOR COMP TIME FOR TRAVEL

Purpose. To add clarification to earning comp time for travel.

Expiration date. September 30, 2006.

Beginning January 28, 2005, new rules took effect that will award compensatory time off to federal workers for officially authorized travel.

Compensatory time off for travel is a new form of compensatory time off that may be earned by an employee for time spent in a travel status away from the employee's official duty station when such time is not otherwise compensable regardless of whether the employee is exempt from or covered by the overtime pay provisions of the Fair Labor Standards Act (FLSA).

NRCS encourages attendance and participation by employees in career-related activities, professional organizations and training courses that enhance career development and professionalism. However, NRCS does not require employees to attend Outside Organization Meetings. NRCS supports attendance at professional meetings by granting approval for members to attend approved meetings on official time off and NRCS expense. Employees who voluntarily wish to attend any professional outside meeting must first have approval of their supervisor. Time spent traveling to a meeting outside of the Monday through Friday normal work hours is not considered hours of work for overtime, compensatory time or accrual of credit leave.

To be eligible to earn compensatory time off for travel, the travel must be officially authorized and can include only the time spent traveling between the official duty station and a temporary duty station, or between two temporary duty stations, and the usual waiting time that precedes or interrupts such travel.

If the airline required the traveler to arrive at the airport 1 or 2 hours before the scheduled departure, such waiting time is considered usual waiting time and is creditable time in a travel status. In addition, time spent at an intervening airport waiting for a connecting flight would also be creditable time in a travel status, subject to exclusions for bona fide meal periods.

Bona fide meal periods are not considered time in a travel status. For example, if an employee spends an uninterrupted hour eating a meal at an airport restaurant while waiting for a connecting flight, that hour is not considered time in a travel status.

If an employee experiences an unusually long wait due to weather delays or other unforeseen circumstances prior to their departure or between actual periods of travel, and the employee is free to rest, sleep, or otherwise use the time for their own purposes, the extended waiting time that is outside the employee's regular working hours would not be creditable time in a travel status.

Extended waiting periods that occur during an employee's regular working hours would be compensable as a part of the employee's regularly scheduled administrative workweek. Travel between home and a temporary duty station is creditable as time in a travel status; however, the time the employee would have spent in normal home-to-work or work-to-home commuting must be deducted.

If an employee travels outside of their regular working hours to or from a transportation terminal outside the limits of the employee's official duty station, the time is creditable travel time but the normal home-to-work/work-to-home commuting time must be deducted.

If an employee travels between a worksite and a transportation terminal, the travel time outside the regular working hours is creditable as time in a travel status, and no commuting time offset applies.

In the case of an employee who is on a multiple-day travel assignment and who chooses, for personal reasons, not to use temporary lodgings at the temporary duty station, but to return home at night or on a weekend, only travel from home to the temporary duty station on the 1st day and travel from the temporary duty station to home on the last day is creditable (subject to the deduction of normal commuting time as mentioned in the previous paragraph).

Requesting Compensatory Time Off for Travel:

Before entering travel status, employees must complete the attached form requesting approval from their supervisor. Once the supervisor has approved the compensatory time off for travel, the approved form should be sent to the area office for concurrence and then onto the state conservationist for final approval. The approved form must be sent to the timekeeper for filing.

Earning Compensatory Time Off for Travel:

Compensatory time off for travel may be earned in 15-minute increments and must be tracked separately from other forms of compensatory time off. Compensatory time off for travel must be used before using annual leave.

Using Compensatory Time Off for Travel:

The use of compensatory time off, just like all leave categories, must be requested in advance to the employee's supervisor.

Limit for Using Compensatory Time Off for Travel:

Compensatory time off for travel must be used by the end of the 26th pay period **after** the pay period in which it was earned or the time off is forfeited with some exceptions. The law prohibits payment for unused compensatory time off for travel under any circumstances.

WILLIAM HUNT
State Conservationist

Attachment

DIST: MN-AE